

Message Text

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DOE:H.BENGELSDORF
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FM SECSTATE WASHDC
TO AMEMBASSY TEHRAN IMMEDIATE

C O N F I D E N T I A L STATE 103960

E.O. 11652: GDS

TAGS: MNUC, IAEA, ENRG, TECH, IR

SUBJECT: IRANIAN MOST-FAVORED-NATION CLAUSE

1. AFTER CAREFUL REVIEW DEPARTMENT HAS BEEN AUTHORIZED TO INFORM THE GOI THAT WE CAN ACCEPT THE IRANIAN FORMULATION OF THE GENERAL MOST-FAVORED-NATION PROVISION FOUND IN THE IRANIAN NOTE. THIS LANGUAGE IS QUALIFIED TO APPLY TO THREE AREAS PROPOSED TO DEPUTY ASSISTANT SECRETARY NOSENZO AND TEAM BY IRAN ATOMIC ENERGY AGENCY LEGAL ADVISOR MANSOUR DURING THE LATEST NEGOTIATING SESSION IN VIENNA IN FEBRUARY. WITH RESPECT TO THE MOST-FAVORED-NATION PROVISION CONCERNING REPROCESSING, WE HAVE BEEN INSTRUCTED TO MODIFY THE FORMULATION DISCUSSED IN VIENNA TO APPLY ONLY "IN THE SAME TIME FRAME".

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2. APPROVED FORMULATION OF GENERAL MOST-FAVORED-NATION PROVISION: "IRAN REQUESTED ASSURANCES THAT THE COOPERATION PROVIDED FOR IN THE AGREEMENT WILL BE IMPLEMENTED IN A MANNER THAT ASSURES THAT IN THE AREAS OF FUEL ASSURANCES, EFFICIENT AND ECONOMIC OPERATION OF THE IRANIAN NUCLEAR PROGRAM AND THE EXCHANGE OF NUCLEAR TECHNOLOGY, IRAN ENJOYS

"MOST-FAVORED-NATION" TREATMENT AND THAT SUCH COOPERATION WILL BE RESPONSIVE TO THE NEEDS OF ITS PROGRAM.

IN RECOGNITION OF THIS REQUEST AND OF IRAN'S LEADERSHIP ROLE IN THE FIELD OF NON-PROLIFERATION, THE US INTENDS TO IMPLEMENT THE AGREEMENT IN A WAY THAT ASSURES THAT IRAN AS A "MOST-FAVORED-NATION" ENJOYS, INTER ALIA, THE SAME BENEFITS AND OPPORTUNITIES AND FREEDOMS OF ACTION AS MAY BE AVAILABLE TO ANY OTHER PARTY WITH WHICH THE US COOPERATES. MOREOVER, THE US INTENDS TO EXERCISE ITS RIGHTS IN ACCORDANCE WITH THE AGREEMENT SO AS TO ASSURE THE EFFICIENT AND ECONOMIC OPERATION OF IRAN'S NUCLEAR PROGRAM."

3. APPROVED MOST-FAVORED-NATION PROVISION CONCERNING REPROCESSING: "IF, WHEN THE NEED ARISES FOR IRAN TO ARRANGE FOR DISPOSITION OF ITS SPENT FUEL, THE US HAS, SUBSEQUENT TO THE DATE OF ENTRY INTO FORCE OF THIS AGREEMENT, APPROVED THE REPROCESSING OF ANY OTHER COOPERATING STATE'S SPENT FUEL FOR THE SAME TIME FRAME WHEN IRAN NEEDS TO DISPOSE OF ITS SPENT FUEL, THE US WOULD APPROVE REPROCESSING OF IRANIAN SPENT FUEL IN THE UK OR FRANCE OF ANOTHER MUTUALLY AGREED STATE UNDER ARRANGEMENTS WHICH AFFORD IRAN BENEFITS COMPARABLE TO THOSE AFFORDED SUCH OTHER STATES AND UNDER TERMS AND CONDITIONS NO LESS FAVORABLE THAN THOSE APPLICABLE TO SUCH OTHER STATES."

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4. EMBASSY SHOULD CONVEY TO MANSOUR US DECISION TO APPROVE THESE TWO MOST-FAVORED-NATION PROVISIONS AND INDICATE THAT WE BELIEVE THAT WITH RESOLUTION OF THIS MATTER, US IS SATISFIED WITH NEGOTIATED TEXT OF DRAFT AGREEMENT AND ACCOMPANYING NOTE. CHRISTOPHER

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